

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TIMOTHY CALDWELL,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent,

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No. 4:12CV771 JCH

**MEMORANDUM AND ORDER**

Before the Court is movant's motion for reconsideration of the Court's denial of his motion to vacate, originally brought before this Court on April 27, 2012. On May 17, 2012, the Court noted that movant's motion was successive and therefore could not be considered by this Court until he sought certification from the Eighth Circuit Court of Appeals, as provided in 28 U.S.C. § 2244. Unfortunately, despite movant's arguments to the contrary, this Court cannot act without such certification. As such, if movant believes he has grounds for certification under § 2244, he must seek review in the Eighth Circuit prior to bringing an action in this Court.

Accordingly,

**IT IS HEREBY ORDERED** that movant's motion for reconsideration of the Court's denial of his motion to vacate, or alternatively, his motion to amend/correct sentence [Doc. #10] is **DENIED**.

**IT IS FURTHER ORDERED** that no certificate of appealability shall issue.

Dated this 8th day of July, 2015.

/s/ Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE